

**REMARKS**

Initially, Applicants gratefully acknowledge the allowance of claim 50 and 54. However, claims 37-41, 43-49, and 51-53 presently stand rejected under 35 U.S.C. § 103 as allegedly unpatentable over various combinations of Waltz (U.S. Patent No. 4,757,425), Farrall (U.S. Patent No. 4,768,628), Buckley (U.S. Patent No. 5,915,828), and Chubb (U.S. Patent No. 2,169,022). In order to expedite prosecution of this application and issuance of the allowed claims, Applicants have canceled claims 37-41, 43-49, and 51-53, without acquiescence in the grounds of the rejection and without prejudice to pursue at a later time by continuation application or otherwise. It is therefore respectfully submitted that the instant application stands in condition for final allowance.

**Notice Concerning Litigation of Related Patent**

Applicants hereby apprise the Office that two issued patents (U.S. Patent 6,588,912 and 6,719,434) related to the instant application are currently the subject of a litigation in the United States District Court for the Central District of California, in a matter captioned *Bruce Finn et al v. Mole-Richardson Company Inc., et al*, Civil Action No. 8:06CV-00453-CJC-MLG, filed May 9, 2006. A copy of the complaint is attached (Exhibit 1). Although the pending litigation is not believed to involve "the subject for which a patent is being sought" in this application within the meaning of MPEP 2001.06(c), Applicants nonetheless provide this information for completeness of the Office's records and for the convenience of the examiner.

**Request for Allowance**

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any unresolved issue remains, the Examiner is invited to contact the undersigned by telephone to discuss those issues so that the Notice of Allowance can be mailed at the earliest possible date.

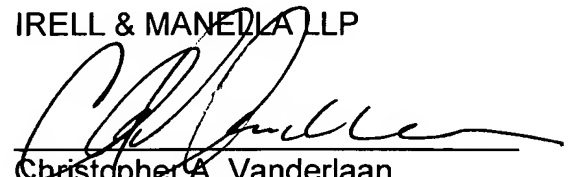
It is respectfully submitted that the instant application stands in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

IRELL & MANELLA LLP

Dated: August 16, 2006

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**10/788,603**

**Bruce L. Finn, et al.**

**Attorney Docket: 158011-0011**

# **EXHIBIT 1**

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Finn  
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21 Attorneys for Plaintiffs Bruce Finn and Finn Film Services, Inc.

22 UNITED STATES DISTRICT COURT  
23 FOR THE CENTRAL DISTRICT OF CALIFORNIA

SACV06-453 CJC(MLGx)

24 Bruce Finn, an individual, and Finn Film  
25 Services, Inc., a California corporation,

Case No.

COMPLAINT FOR PATENT  
INFRINGEMENT

Plaintiffs,

vs.

26 Mole-Richardson Company, Inc., a  
27 California corporation; and Mole-  
28 Richardson Rentals, a California  
corporation,

Defendants.

DOCKETED ON CM  
JUL 16 2009  
WV

29 Plaintiffs Bruce Finn ("Finn") and Finn Film Services, Inc. ("FFS"),  
30 (collectively referred to herein as "Plaintiffs") alleges against Defendants Mole  
31 Richardson Company, Inc., a California corporation; and Mole-Richardson Rentals, a  
32 California corporation ("Defendants") as follows:

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## JURISDICTION

1. This is an action for patent infringement arising under the United States Patent Act, 35 U.S.C. 101 et seq. This Court therefore has jurisdiction under 28 U.S.C. 1331 and 1338 (a).

## THE PARTIES

2. Finn is an individual and a resident of Los Angeles, California.

3. Finn Film Services, Inc. is a corporation organized and existing under the laws of the State of California and is authorized to do, and is doing business in this judicial district.

4. Plaintiffs are informed and believe, and based thereon allege, that Defendants Mole Richardson Company, Inc. and Mole-Richardson Rentals are California corporations with their principal place of business at 937 Sycamore Avenue, Hollywood, California, and were and are, at all times material hereto, doing business in this judicial district. Plaintiffs are further informed and believe, and based thereon allege that Defendants have committed acts of patent infringement in this district, for example, by making, marketing, and renting or selling infringing products in Orange County, California.

5. Finn is an Emmy ® award winning Director of Photography and for more than 20 years has been employed as such on television programs, feature length motion pictures, commercials, and live concert performances. As a Director of Photography, Finn has extensive experience and knowledge of lighting and lighting systems used to properly illuminate stages and sets for television, motion picture, and other productions.

6. One of the goals of properly lighting stages and sets is to create a powerful soft projected light source. In or about 1998, Finn began exploring ways to generate powerful directed soft light in an efficient and economical manner. Those efforts led to the invention of a portable modular light diffusion box with the capacity

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1 to enclose multiple powerful lights in a single integrated unit which is the subject of  
2 this matter.

3 **CLAIMS FOR RELIEF**

4 7. Plaintiffs re-allege and incorporate herein by this reference paragraphs 1  
5 through 5 hereof as if set forth herein in full.

6 8. United States Patent No. 6,588,912 ("the '912 patent"), entitled  
7 "Foldable Modular Light Diffusion Box", was duly and legally issued on July 8, 2003.  
8 Finn is the co-inventor and owner of all right, title, and interest in and to the '912  
9 patent. A true and correct copy of the '912 patent is attached hereto as Exhibit A.

10 9. United States Patent No. 6,719,434 ("the '434 patent"), entitled  
11 "Foldable Light Diffusion Box With Frame Assembly", was duly and legally issued  
12 on April 13, 2004. Finn is the inventor and owner of all right, title, and interest in and  
13 to the '434 patent. A true and correct copy of the '434 patent is attached hereto as  
14 Exhibit B.

15 10. At all times material hereto, Finn Film Services, Inc. was and is the  
16 exclusive licensee under the '912 and '434 patents.

17 11. Plaintiffs are informed and believe, and based thereon allege, that  
18 Defendants have directly, indirectly, contributorily, and/or by inducement infringed  
19 the '434 patent and at least claims 1-8 and 20 of the '912 patent in this judicial district  
20 and elsewhere in the United States, by making, using, offering to sell, and/or selling  
21 lights and lighting systems embodying the patented inventions.

22 12. Plaintiffs have placed the required statutory notice on all lights and  
23 lighting devices manufactured and rented or sold by them under the Patents, and have  
24 given written notice to Defendants of the infringement.

25 13. The infringement by Defendants of the '434 patent and at least claims 1-  
26 8 and 20 of the '912 patent has injured Plaintiffs and will cause Plaintiffs added injury  
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1 and damage in the future unless Defendants are enjoined by this court from infringing  
2 said patents.

3 14. Plaintiffs are informed and believe, and based thereon allege, that  
4 Defendants had actual knowledge of the '434 patent and claims 1-8 and 20 of the '912  
5 patent and have willfully, deliberately, and intentionally infringed the claims of said  
6 patents.

7  
8 **PRAYER FOR RELIEF**

9 **WHEREFORE**, Plaintiffs prays for judgment as follows:

10 a. That Defendants Mole Richardson Company, Inc. and Mole-Richardson  
11 Rentals have directly, indirectly, contributorily, and by inducement infringed claims  
12 1-8 and 20 of United States Letters Patent No. 6,588,912;

13 b. That Defendants and its agents, servants, officers, directors, employees,  
14 and all persons acting in concert with them, directly or indirectly, be enjoined from  
15 infringing, inducing others to infringe, or contributing to the infringement of claims  
16 1-8 and 20 of United States Letters Patent no. 6,588,912;

17 c. That Defendants Mole Richardson Company, Inc. and Mole-Richardson  
18 Rentals have directly, indirectly, contributorily, and by inducement infringed United  
19 States Letters Patent no. 6,719,434;

20 d. That Defendants and its agents, servants, officers, directors, employees,  
21 and all persons acting in concert with them, directly or indirectly, be enjoined from  
22 infringing, inducing others to infringe, or contributing to the infringement of United  
23 States Letters Patent no. 6,719,434;

24 e. That Defendants be ordered to account for and to pay to Plaintiffs the  
25 damages to which Plaintiffs are entitled as a consequence of the infringement;

26 f. That the Court treble such damages for the willful, deliberate, and  
27 intentional infringement of Defendant, as alleged in paragraph 14;

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1 g. That Plaintiffs be awarded their costs of suit and attorneys' fees herein in  
2 accordance with Title 35 United States Code section 285; and

3 h. That Plaintiffs be awarded such other and further relief as the Court may  
4 deem just, proper, and equitable.

5 A JURY TRIAL IS DEMANDED ON ALL ISSUES SO TRIABLE,  
6 PURSUANT TO RULE 38 OF THE FEDERAL RULES OF CIVIL PROCEDURE

7  
8 Dated: May 9, 2006

DYKEMA GOSSETT, LLP

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